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October 22, 2019

Via E-file

Honorable Kim R. Gibson
United States District Court
for the Western District of Pennsylvania
208 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901

Re: Steven Newlan vs. Norfolk Southern Railway Company
USDC Western District of Pennsylvania, No.: 3-18-cv-22

Your Honor:

I believe we may need another telephone status conference in order to hopefully consummate the settlement of this matter. On August 23, 2019, you entered an order retaining jurisdiction of this matter pending settlement. Plaintiff agreed to settle the matter, however, the language in the release is overly broad pursuant as it seeks a release for all injuries both known and unknown. Plaintiff cannot agree to that and it is not what was bargained for.

I have attached *Wicker v. Conrail*, 142 F.3d 690 (3rd Cir. 1998) in support of my position and for the Court's review on the issue.

Respectfully,

/s/ Voci R. Bennett
VOCI R. BENNETT

cc: J. Lawson Johnston, Esquire (via E-file only)